



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
J. GRABER

Serial No.: 10/021,974

Filed: October 30, 2001

For: **MULTI-STAGE HELICAL
SCREW ROTOR**

Date of Last Office Action:
September 8, 2003

Attorney Docket No.:
LYBZ 2 00021-3

Examiner: T. TRIEU

Art Unit: 3748

Confirmation: 2485

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TECHNOLOGY CENTER R3700

Cleveland, OH 44114
October 1, 2003

ELECTION

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

In response to the Restriction Requirement of September 8, 2003, the applicants elect Group II - claims 1-27, and 31-47, directed to a vacuum pump apparatus, with traverse.

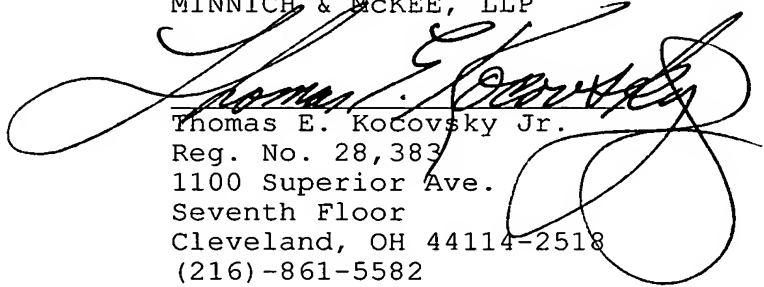
As the Examiner notes, the aspect of the apparatus produced by the method of claim 28 can be formed by techniques other than, for example, milling. However, it should be noted that the vacuum pump which is inherently produced by the method of claim 28 would be classified with the apparatus of Group II. It is submitted that once the search for the apparatus of Group II shows that the resultant vacuum pump is novel, regardless how manufactured, that method claim 28 will, also be patentable. Moreover, it is submitted that a complete search for the elected apparatus claims will result in a complete search of all references necessary to make a determination regarding the patentability of the non-elected claims.

3748
#4
Election
10-7-03
M.P.B.

Reconsideration of the Restriction Requirement and
an early allowance of all claims is requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
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CERTIFICATE OF MAILING

I hereby certify that this **ELECTION** in connection
with U.S. Patent Application Serial No. 10/021,974 is being
deposited with the United States Postal Service as first class
mail in an envelope addressed to: Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22213-1450 on this 15th day of
October, 2003.

By: Hilary McNulty